# Exhibit A

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE WESTERN DISTRICT OF TEXAS**
**MIDLAND/ODESSA DIVISION**

| | | |
|---|---|---|
| **INTELLECTUAL VENTURES I LLC and INTELLECTUAL VENTURES II LLC,** | § | |
| **Plaintiffs,** | § | **Civil Action No. 7:24-cv-00277-ADA** |
| **v.** | § | **JURY TRIAL DEMANDED** |
| **SOUTHWEST AIRLINES CO.,** | § | |
| **Defendant.** | § | |

**DECLARATION OF SHAUN TUNE IN SUPPORT OF SOUTHWEST'S MOTION TO TRANSFER VENUE**

I, Shaun Tune, declare as follows:

1. I am employed by Southwest Airlines Co. ("Southwest") as Director of Enterprise Architecture. I have worked for Southwest for over twenty years, focusing on technology. I am generally familiar with the technology systems in use at Southwest. I chair Southwest's technology review board, a group that evaluates what technology to try, adopt, and retire. I also chair Southwest's architectural review board, a group that ensures technology adheres to company standards and policies. In my role at Southwest, I have personal knowledge of Southwest's corporate operations, employee locations, technology infrastructure, and record-keeping practices. I have reviewed the Complaint in this case and understand the technology at issue to include the software programs Docker, Kubernetes, Kafka, Spark, and Hadoop, as well as on-board connectivity hardware and software supplied by Anuvu and Viasat. The facts discussed in this declaration are based on my personal knowledge and a reasonable investigation of these matters.

2. Since Southwest began operations over a half century ago, Southwest's headquarters have been in Dallas County, Texas, where all executive leadership, business operations, and corporate decision-making take place.

3. All departments responsible for technology, finance, legal, engineering, operations, and compliance are located in Dallas County. These departments oversee company-wide policies, software systems, IT infrastructure, and vendor relationships.

4. I am confident the Southwest employees with knowledge relevant to this case work in Dallas County. Although there is a lack of information as to which specific Southwest software programs, systems, and services are at issue, Southwest has attempted to determine which specific employees (out of nearly 75,000) or groups are likely to have relevant information. At this point, we believe the ones identified below are likely to be the people needed to collect information and/or provide testimony in connection with this case:

| **Name** | **Title** | **Location** | **Topics for Testimony / Knowledge Areas** |
|---|---|---|---|
| CJ Woodley | Enterprise Architect Technology | Dallas HQ | The use or non-use of various open-source programs and/or enterprise versions supplied by vendors, such as VMWare (Hadoop); Amazon Web Services (EKS, EMR, ECS, ECR); Open Shift (Kubernetes) |
| Jason Norman | Principle Engineer | Dallas HQ | Technical details regarding infrastructure supplied by VMWare and, Red Hat/Open Shift, and AWS |
| Joey Feinstein | Director of Technology and Supply Chain Management | Dallas HQ | Contracts with Amazon Web Services, Open Shift, VMWare, and others |
| Jon Hartfield | Senior Solution Architect Technology | Dallas HQ | Technical details regarding cloud services supplied by AWS and Open Shift / Red Hat |

| Name | Title | Location | Topics for Testimony / Knowledge Areas |
|---|---|---|---|
| Grant Morris | Solution Architect | Dallas HQ | Technical details regarding enterprise cloud solutions used by Southwest |
| James Omorodian | Solution Architect | Dallas HQ | Technical details regarding enterprise cloud solutions used by Southwest |
| Dowell Griffin | Technical Lead | Dallas HQ | Technical details regarding cloud solutions using AWS for AI projects |
| Kevin Tucker | Managing Director Technology | Dallas HQ | Senior business leader overseeing technology, including cloud engineering operations |
| Garland Mitchell | Managing Director Technology | Dallas HQ | Senior business leader overseeing technology, including middleware platforms |
| Michael Rankin | Enterprise Architect | Dallas HQ | Technical details regarding middleware services using AWS and Confluent Kafka |
| Todd DeShetler | Senior Manager of Technology | Dallas HQ | Senior business leader overseeing onboard Wifi and mobility |
| Monica Boss | Customer Experience Connectivity Consultant | Dallas HQ | Viasat systems / relationship manager / contract details |
| Melissa Doyle | Customer Experience Connectivity Consultant | Dallas HQ | Anuvu systems / relationship manager / contract details |
| Elly Jurgensen | Director of In Flight Experience | Dallas HQ | Business questions regarding onboard Wifi systems |
| Chris Muhich | Managing Director Aircraft Engineering | Dallas HQ | Onboard Wifi systems and other non-aviation aspects of aircraft configurations |

5. The Complaint's attachments identified other individuals whose LinkedIn profiles supposedly suggested familiarity, experience, or knowledge of the various accused open-source software programs. Although Southwest has no records matching some of the LinkedIn profiles,

at least the following individuals were confirmed as having worked for Southwest in Dallas at either its Love Field headquarters or at an auxiliary location on Cedar Springs Road in Dallas.

| **Name** | **Title** | **Location** | **Purported Skill / Experience With** |
|---|---|---|---|
| Sundhar Alagumalai | Former Solutions Architect | Cedar Springs | Kafka |
| Madhuker Daraboina | Software Engineer | Dallas HQ | Kubernetes |
| Abhijit Roy | Tester (contractor not an employee) | Dallas HQ | Kubernetes |
| Saikumar Kada | Tech Ops Software Engineer (contractor not an employee) | Cedar Springs | Kubernetes |

6. Southwest recently announced a reduction in workforce to create a leaner and more agile organization. The reduction of approximately 1,750 roles was focused almost entirely on corporate overhead and leadership positions and represented about 15% of corporate positions, including senior leadership and directors in Dallas. Although I do not know the full impact of the reduction in workforce on employees relevant to this case, I do know that at least one person identified above, Sundhar Algumalai, was part of the reduction in workforce. If there are other people relevant to this lawsuit impacted by the reduction in workforce, they are likely to be employees in the technology group in Dallas. Based on my knowledge and investigation, I do not believe there are any employees in Midland/Odessa or anywhere else in the Western District of Texas who have relevant information or were impacted by the reduction in workforce.

7. A significant portion of Southwest's computing infrastructure and data storage operates in cloud environments managed by third-party providers, including Amazon Web Services (AWS) and Red Hat OpenShift. In addition to cloud storage, Southwest maintains three legacy data centers—two in Dallas County and another in Collin County, Texas—which house

various records and backup systems. The computers used by Southwest's IT personnel, including the people identified above, are physically located in Dallas or hosted in cloud environments.

8. The employees responsible for managing, deploying, and maintaining Southwest's cloud-based infrastructure, including the individuals identified above, are based in Dallas. Based on my knowledge and investigation, I do not believe there are any relevant IT staff based in Midland/Odessa or elsewhere in the Western District of Texas.

9. The employees responsible for negotiating, managing, and overseeing vendor relationships are based in Dallas. Based on my knowledge and investigation, I do not believe any relevant vendor relationships are handled from Midland/Odessa or anywhere else in the Western District of Texas.

10. Southwest operates gate terminals in multiple cities within the Western District of Texas, including Midland, Austin, San Antonio, and El Paso. These locations support passenger boarding, baggage handling, and flight operations but are not involved in corporate functions, software development, IT infrastructure, or vendor management.

11. Employees at these gate terminals are not responsible for corporate decision-making, IT systems, software development, or vendor negotiations. Their work is focused on airport operations, customer service, and local flight logistics.

12. The records kept in Midland/Odessa or elsewhere in the Western District of Texas should pertain to local airport operations, not technologies mentioned in the Complaint.

13. Southwest employees in Midland/Odessa or anywhere else in the Western District of Texas should not have any responsibility for the company's cloud-based infrastructure, accused software programs, IT architecture, or other technology at issue.

14. Based on my knowledge and investigation, there are no Southwest software engineers, system architects, IT professionals, or other individuals with relevant knowledge located in Midland/Odessa or anywhere in the Western District of Texas.

15. Based on my knowledge and investigation, our software development documentation, IT system logs, vendor agreements, and other potentially relevant information are maintained in Dallas or on cloud-based repositories accessible by personnel in Dallas.

16. If this case remains in Midland/Odessa, I believe that every single Southwest employee with relevant knowledge would need to travel from headquarters in Dallas over 300 miles to attend trial in Midland/Odessa, whereas the travel distance from headquarters to the federal courthouse in Dallas is under 10 miles, so I expect it would cause less personal and professional disruptions and be considerably more convenient for those individuals' work and personal lives to make necessary court appearances in Dallas, rather than in Midland/Odessa.

17. Based on my knowledge and investigation, I am unaware of any Southwest employees, data repositories, or corporate records in Midland/Odessa that are relevant to this case.

18. I believe that the relevant documents, witnesses, and corporate operations are located in Dallas County. By contrast, I believe that Midland/Odessa has no meaningful connection to the corporate decisions, technology infrastructure, or business activities relevant to this litigation.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on February 27, 2025, in Dallas County, Texas.

Shaun Tune

Shaun Tune
Director of Enterprise Architecture
Southwest Airlines Co.

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